



PLANNING COMMISSION AGENDA

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JAIME HOLT, Chair

Commission Members
PAUL E. CAPRIOGLIO
RAMA DAWAR
SEROP TOROSSIAN, Vice Chair
ROJELIO VASQUEZ
LUISA MEDINA

Planning and Development
Assistant Director/Secretary
KEITH BERGTHOLD

Deputy City Attorney
SHANNON L. CHAFFIN

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The Planning Commission welcomes you to this meeting.

January 6, 2010

Wednesday

6:00 p.m. to 10:00 p.m.

City Hall, Second Floor, COUNCIL CHAMBER, 2600 Fresno Street

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development Department staff at 559-621-8277.

El cuarto de la reunión es accesible a los físicamente incapacitados y los servicios de un traductor pueden ser hechos disponible. Peticiones para servicios adicionales para los incapacitado, los firmantes, aparatos de escuchar o los traductores deben ser hechos una semana antes de la reunión. Por favor llame a el Departamento de la Planificación y el Desarrollo en 559-621-8277.

Chav sablaj muaj rau cov tibneeg xiam oqhab, thiab muaj tibneeg txhaislus rau cov uas xav tau kev pabcuam. Yog thov kev pabcuam rau cov tibneeg xiam oqhab, cov hlua ntsaws pobntseg mloog haislus, los yog tibneeg txhaislus, nej yuav tau hais tuaj ib asthiv los yog ib limpiam ua ntej lub rooi sablaj. Nej hu tau rau peb cov tubtxib ntawm tus xovtoo; 559-621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those attending the meeting.

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PROCEDURES

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all public testimony from those in support and in opposition of the project will be limited to three minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating time has expired. All public testimony must be presented to the Commission at the podium. Any testimony that references race, religion, economic status, national origin, shall be deemed out of order, irrelevant and will not be considered by the Commission in making its land use determinations.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

IV. AGENDA APPROVAL

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDAR

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

- A. Minutes – Meeting Minutes of November 4, 2009
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

- A. Consideration of an appeal of the action of the Planning and Development Director revoking Conditional Use Permit Application No. C-04-126 for failure to substantially comply with the conditions of approval under C-04-126, Ordinance No. 2006-26 and Resolution No. 2006-89; filed by James and Isabel Medina, the business and property owners of Van Ness Auto Repair, located at 2740 North Van Ness Boulevard (APN: No. 443-241-01).

1. The Subject Property is a .19 acre lot located at 2740 North Van Ness Boulevard. It is situated on the southeast corner of North Van Ness Blvd. and East Princeton Avenue. On March 7, 2006, the Subject Property was rezoned from R-1 (*Single Family Residential*) zone district to the C-5/cz (*General Commercial District/conditions of zoning*) district. On that same date, in conjunction with the rezone, the City Council passed a resolution approving Conditional Use Permit Application No. C-04-126 which authorized a "Tires, Battery, and Accessory Parts Sales and Service" use with limited auto repairs. The Subject Property is surrounded by residential properties.

- 2025 Fresno General Plan, Fresno High-Roeding Community Plan and the Tower District Specific Plan
- Council District 1 (Blong Xiong)
- Staff Member: Richard Salinas
- Staff Recommendation: Deny the Appeal and Uphold the Revocation

VIII. NEW MATTERS

IX. REPORT BY SECRETARY

X. SCHEDULED ORAL COMMUNICATIONS

XI. UNSCHEDULED ORAL COMMUNICATIONS

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XII. ADJOURNMENT

UPCOMING MATTERS

(Dates subject to change)